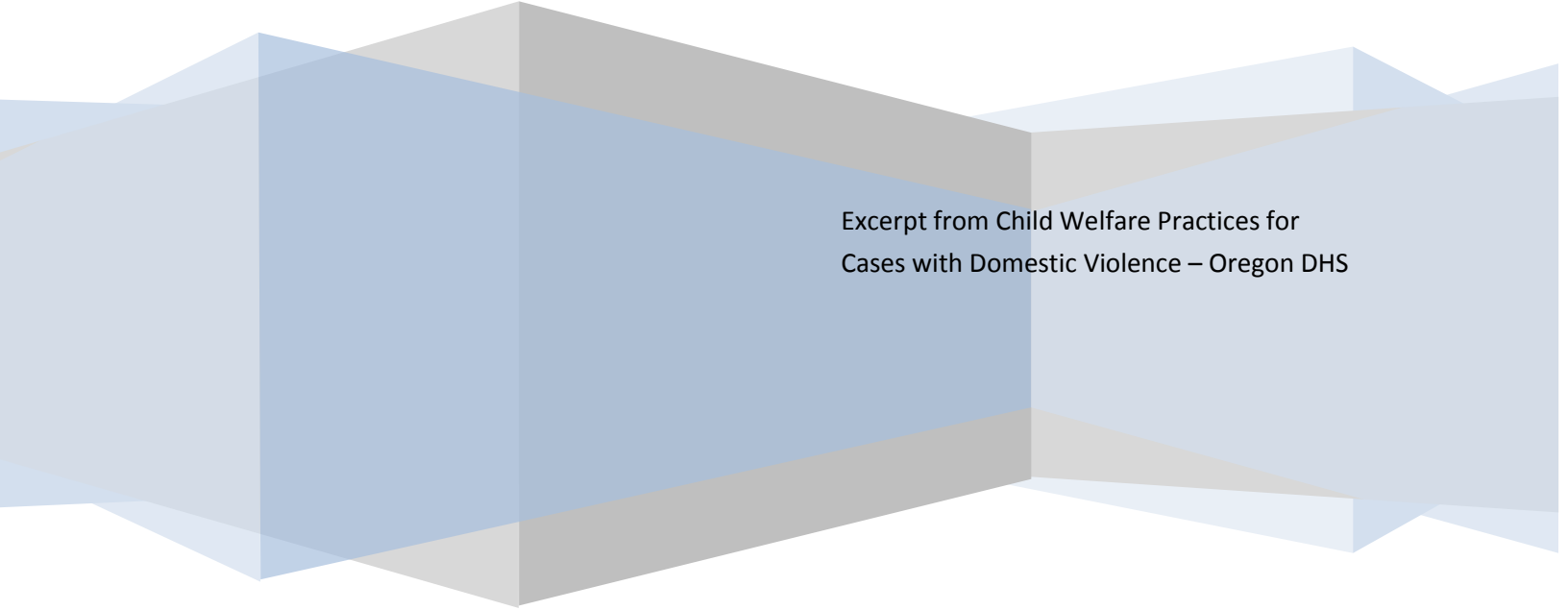


Quick Reference Guide: Working with Domestic Violence



Excerpt from Child Welfare Practices for
Cases with Domestic Violence – Oregon DHS

CPS Assessment Strategies

CPS assessment

The Oregon Safety Model requires a practice shift from incident-based assessments to comprehensive child protective service assessments. This includes assessing not only the allegation, but the whole complexity of family dynamics. **In conducting a comprehensive CPS assessment, the CPS worker assesses for domestic violence, whether or not it is part of the initial report** and further identifies other family issues and their interplay with domestic violence (e.g., substance abuse and domestic violence, which are often both present in the families assessed by Child Welfare).

Critical note:

The dynamics of domestic violence are based on the batterer's maintaining power and control over his or her partner. Challenges to that power and control, including a CPS assessment, may increase the likelihood of escalating violence. The risk of being seriously harmed or killed may increase when an adult victim leaves the batterer. *Given this dynamic, plan your assessment carefully when domestic violence is known to be an issue and always consider that the assessment may increase the risk to the child and the adult victim.*

A comprehensive CPS assessment

To ensure safety for the children and adult victim an assessment should document:

- The batterer's pattern of coercive control over the adult victim and family;
- The specific actions the batterer has taken to harm the children;
- The full spectrum of efforts made by the non-offending parent to protect the child;
- The adverse impact of the batterer's behavior on the child; and
- The role of substance abuse, mental health, culture, and other socio-economic factors.

Interviews

- Interview the alleged adult victim first without the alleged batterer present and without the alleged batterer's knowledge whenever possible.
- If the alleged batterer is present, do separate interviews out of earshot of the alleged batterer.

- If you cannot separate the partners, focus on issues other than the domestic violence. Resistance to separate interviews with adults may be an indication of domestic violence and a batterer's control.
- If you believe that an interview with the alleged batterer (or another family member) at initial contact will compromise safety of any family member, consult with a supervisor to request an exception to interviewing the alleged perpetrator at initial contact in order to allow for safety planning before the interview.
- If it becomes apparent before or during the initial contact that an interview with the alleged batterer (or another family member) will compromise safety of any family member, consult with a supervisor to request an exception to interviewing the alleged perpetrator at initial contact in order to allow for safety planning.
- When interviewing the alleged adult victim, child and alleged batterer ask questions that will get to the duration, frequency, predictability and influencing factors in order to determine how domestic violence is uniquely occurring in this family.

Interviewing the alleged adult victim

- Immediately ask the alleged adult victim if it is safe to conduct an interview and what might be a safe way.
- Never ask the alleged adult victim about domestic violence in front of the alleged batterer. Disclosures may make the alleged adult victim unsafe if the alleged batterer is in the vicinity.
- Use strategies to build rapport, encourage conversation and support the alleged adult victim.
- Ask about other issues first before asking about domestic violence. Ask about their relationship, including positive aspects. Begin with more general questions then follow up with more specific and detailed ones.
- Ask open-ended questions about well-being to start the conversation. However, express concerns and ask questions about bruises or other injuries.
- Ask questions to determine the severity and potential lethality of the alleged batterer's behavior. These include questions on any threats of homicide or suicide, access to weapons, strangulation, harm to animals, and terrorizing family members.
- Ask questions on the coercive tactics the alleged batterer may use. These tactics range from very overt — such as physically preventing someone from leaving the house — to subtle ones, such as isolating an adult victim from

the family by complaining about the adult victim's treatment of the alleged batterer.

- The alleged adult and child victims may express positive feelings toward the alleged batterer. When asking questions about the abuse, focus on the alleged batterer's violence and controlling behaviors, not personality.
- Affirm to the alleged adult victim that the abuse is not deserved and not the fault of the alleged adult victim.
- Express concerns for the safety of the alleged adult victim and the safety of the children.
- Explain that domestic violence may increase in frequency and/or severity.
- Identify what the alleged adult victim has done to stay safe and keep the children safe, and how well those actions have worked.
- Consider that the adult victim's actions have been survival strategies. For example, staying with the alleged batterer may be safer than leaving.
- Recognize that because many adult victims lack access to financial resources or other housing options, the alleged adult victim may believe that it is better, including for the children, to stay with the alleged batterer.
- If there are allegations that the violence is mutual, look at the context and intent of the violence. Determine which partner is afraid of the other, which partner is effectively exerting control and whether injuries are defensive wounds.
- Give the alleged adult victim information about domestic violence. If you know the alleged batterer has previous convictions, share that information with the alleged adult victim.
- Discuss with the alleged adult victim what will happen with the information gathered. This includes what information will be disclosed to the alleged batterer.
- Offer information and referrals to address other immediate needs of adult and child victims, including financial assistance, health care, safety planning, etc.
- When ending the interview, ask the alleged adult victim about safe times and ways to make contact in the future.

Interviewing children

- Ask children questions about what happens during the violence or about the violence.
- Ask children what they do during the violence, including if they have tried to intervene.

- Ask children how they feel about the violence and their home.
- Ask children what they do to take care of themselves and/or their siblings.
- Support the ways in which the child stays safe.
- Ask children who they talk to about their home.
- Be aware a child may take responsibility for the abuse or side with the alleged batterer. Assure the children that the violence is not their fault or the fault of the adult victim.
- Acknowledge the alleged batterer's positive traits as well as asking about abusive behavior.
- Tell the child what information you will be sharing with either parent.

Interviewing the alleged batterer

- Batterers are not reliable sources of information about their own violent behavior or use of power and control tactics. Better sources of information include the alleged adult and child victims, police reports, parole and probation, court documents, and other persons or agencies known to the family.
- Do not ask the alleged batterer about domestic violence in front of the alleged victim.
- Don't tell the alleged batterer information given by the alleged adult victim or child if other sources are available or until a safety plan is in place. Use corroborating reports such as police, neighbors, parole or probation, courts, medical.
- Ask about other issues first before asking about domestic violence. Ask about their relationship, including positive aspects. Begin with more general questions then follow up with more specific and detailed ones. Delay asking specific questions if it will put the alleged adult victim or child in danger.
- Ask questions to assess for power and control tactics (See Possible Questions Section).
- Ask questions about steps the batterer has taken or will take to accept responsibility for the violence and stop those behaviors,
- Assess what steps the alleged batterer will take to create safety.
- Ask about other issues including use of drugs or alcohol.
- When assessing the alleged batterer's answers, be aware of tactics commonly used by batterers to deflect attention away from themselves. Batterers will try to enlist you to collude with them against the adult victim. Tactics include the batterer:

- Presenting as the victim; Using statements of remorse as a way to avoiding consequences; Describing protective efforts the alleged adult victim has taken (leaving or calling police) as ways to be hurtful to the alleged batterer; Presenting as the more stable and calm partner and better parent; Denying or minimizing abuse (it is not my fault if someone bruises easily, I just pushed a little); Blaming the alleged adult victim for the abuse (one should know not to do that); Avoiding responsibility by blaming alcohol or other substances, stress, etc.; Alleging drug or alcohol abuse by partner; Alleging the partner has mental illness and/or is off medication; or presenting the alleged adult victim's behavior in a negative way to get you to side with the alleged batterer.

Identifying the predominant domestic violence batterer

There are situations in which there are allegations of domestic violence against both parents. Domestic violence victims may fight back and be charged with assault. Look beyond the initial incident to assess the dynamics in the family and to determine which party is the predominant aggressor. Assess for patterns of power and control in allegations of domestic violence that appear to be mutual violence, or where the adult victim has been arrested. Specifically look for the following:

- Are injuries defensive wounds (bite marks, scratches etc.)?
- Who is afraid of the other?
- What was the intent and level of the violence (was it self-defense or to punish/retaliate)?
- Who is effectively exerting control over the other?
- What is the impact of the violence? and
- Who has historically been the dominant aggressor regardless of who the first aggressor was in the current incident?
- It is important to remember that it is common for the adult victim to claim responsibility for the violence.

Determining if there is an impending danger safety threat

It may be difficult to determine when or whether the batterer's behavior makes a child unsafe. The batterer's behavior may not be directly aimed at the child, but the child may still be negatively affected. Conversely, the presence of domestic violence may present a risk to the child, but the child can still be safe.

Application of the safety threshold criteria

There may be other impending danger safety threats present, but Impending Danger Safety Threat #2 is used to identify domestic violence: “One or both parents’ or caregivers’ behavior is violent and/or they are acting (behaving) dangerously. Violence refers to aggression, fighting, brutality, cruelty and hostility. It may be immediately observable, regularly active or generally potentially active.”

To meet the safety threshold, it is not enough to state that there is domestic violence. Document the specific behaviors of the batterer that harm or could reasonably harm the child and how those behaviors affect the child.

- First the violence has to be out of control, meaning there are no outside or familial resources to adequately maintain the child’s safety. The child could be harmed by the batterer’s behavior, either through physical harm or emotional harm.
- The threat of harm to the child has to be imminent, which means within a couple of days to a few weeks.
- The behaviors and impact have to be specific and observable.
- The behaviors are likely to result in severe harm to the child.
- Finally, the child has to be vulnerable to the threat.

Possible examples include:

- *A parent uses violence when the baby is in extremely close physical proximity, causing a high likelihood of injury. In the last instance, one parent was holding the baby and almost dropped the baby when the other parent was hit. The baby could have been injured by being struck or by being dropped due to the violence.*
- *One parent has threatened to kill family members and has injured the other parent in front of the child. The child is extremely fearful and has regressed at school. The child’s grades have significantly dropped due to inability to concentrate.*
- *Through threats of violence, the family is isolated to the extent that basic needs are not met. Family members are not allowed to leave the house without the threatening parent.*

If the domestic violence does not meet the safety threshold criteria, explore safe options with the non-offending parent. Make referrals to domestic violence service providers and other resources, and provide information about domestic violence, when appropriate.

Possible Questions for DV Cases

Assessment questions for the alleged adult victim

General questions about domestic violence:

The following are sample questions to ask the alleged adult victim. They ask about the situation and the power and control tactics. Adapt these to your style, the language the alleged adult victim uses and the situation. Many adult victims may not identify what is happening as domestic violence. Calling it “violence” during the assessment questioning may inhibit the conversation. It is important, though, to label it as domestic violence and provide information on domestic violence toward the conclusion of the interview.

- Are you safe right now to talk?
- Tell me about your relationship.
- How do decisions get made?
- How do you and your partner divide household responsibilities?
- How do you and your partner make decisions about money? Can you spend money when you want to? Whose name is on the accounts?
- What happens when you and your partner disagree?
- What do you do during the day? Has your partner prevented you from going to work/school/church? Tell me about that.
- Does your partner harass you or make it difficult for you to work?
- Who are your friends and family? How much contact do you have with them? Is your partner usually there? Has your partner prevented you from seeing friends or family?
- Does your partner listen in on your phone calls or otherwise monitor your communication? Tell me about that.
- What happens when your partner feels jealous or possessive?
- Does your partner call you names, insult you or scream at you?
- Have you ever felt afraid of your partner? Tell me about that.
- Has your partner ever threatened you, your children or your family? Tell me about that.
- Does your partner threaten to take your children?
- Does your partner threaten to take you away from your family?
- Does your partner ever threaten you with deportation? Is your partner making it difficult for you to get legal status?
- Does your partner do reckless things that scare you, such as driving too fast with the children in the car? Tell me about that.

- Has your partner ever used force against you? Pushed? Shoved? Hit? Strangled?
- If your partner has used force against you, tell me about the worst episode. What was the most recent episode?
- How frequently does this happen?
- How often do you get hurt by accident?
- Most people think of weapons as guns or knives, but other objects can be used to hurt someone. Has anyone used a weapon to threaten or harm someone in the family? If yes, tell me about that.
- How does your partner treat your pets? Your property?
- How often does your partner drink or use drugs? What happens then?
- Does your partner have recent military or law enforcement training?
- Have you left before? What happened when you did?
- Has your partner threatened suicide?
- What was/is the relationship between your parents? Your partner's parents?
- Have you ever been forced into doing something that makes you uncomfortable?
- Has your partner pressured you or forced you to have sex? Tell me about that.
- On a scale from 1-10, how safe do you feel?
- If you could change one thing about your partner, what would it be?

Impact on the children

Additional questions to ask the non-offending parent to assess the impact of the violence on the children include the following:

- Describe how your partner disciplines the child, and what for.
- Does your partner call your children names, insult them, or yell at them?
- Is your partner able to take care of the child and keep the child safe? Does your partner make decisions that are best for the child?
- Describe how your partner supports your parenting and how your partner interferes with your parenting.
- Where are the children when the fighting happens?
- Describe how the children respond to the abuse. Have they ever tried to stop the abuse?
- Have the children ever been hurt, either accidentally or on purpose? Tell me about this.
- Have you noticed any effects on your children?
- Are you concerned about any of your child's behavior?

- Have you noticed changes in your child's behavior?
- Does your child have trouble sleeping?
- Is your child getting sick more often?
- Describe any problems your child has in school or with friends.
- How often have you had to move or change the child's school?
- Describe activities or groups your child is involved with.
- Have you ever suspected that your partner may have been sexually inappropriate with your child?
- If your child has visits with your partner, how has that been going? What does the child say about the visits? What happens at drop-off and pick-up times?
- Does your partner ask the child to pass messages to you or ask the child to report what you do during the day?
- How do all the things we've talked about today affect the way you can care for your child?
- On a scale from 1-10, how safe are your children? How safe do they feel? How safe do they think you are?

Full spectrum of efforts to protect

It is also important to assess strengths and protective factors in the family and the strategies the alleged adult victim has used to stay safe and keep their children safe.

Ask things like:

- How are you managing day to day?
- How are you maintaining a regular schedule for the children?
- Are the children in school?
- Do the children get regular meals and a routine at bedtime?
- Are the children getting regular medical and dental care?
- Describe what you do to keep yourself and your children safe.
- Who are friends and family members you can talk to?
- Has anyone been able to help you?
- What has worked for you in the past?
- Have you ever left the situation? Where did you go? What happened?
- How are you talking to your children about the situation?
- What has your partner done to stop being abusive?
- What do you think needs to happen for you and your children to be safe?

Concluding the interview with the alleged adult victim

- How dangerous do you think your partner is? What do you think your partner is capable of? What is the worst-case scenario?
- How do you think your partner will react when finding out we talked to you?
- How do you think your partner will react when finding out we talked to the children?
- How do you think your partner will react when receiving the notice of disposition?
- What do you think will happen when I leave?

Assessment questions for the alleged batterer

General questions about domestic violence

The following are sample questions to ask the alleged batterer. You may want to reassure the alleged batterer that the domestic violence questions are a routine part of any family assessment. These questions can also be used to screen for domestic violence when it was not part of the allegation. The questions ask about the situation and the power and control tactics. Adapt these to your style and the situation. Many alleged batterers will not identify what is happening as domestic violence. Calling it “violence” during the assessment questions may inhibit the conversation. It is important, though, to label domestic violence behavior as domestic violence and provide information on domestic violence toward the conclusion of the interview.

- Tell me about your relationship.
- How do decisions get made?
- How do you divide household responsibilities?
- How do you make decisions about money? Whose name is on the accounts?
- What types of things are children disciplined for? What happens?
- What does your partner do during the day?
- Who are your partner’s friends or family? How often does your partner see or talk with them?
- Do you ever feel jealous or possessive and if so, what do you do?
- Do you listen in on your partner’s phone calls?
- What happens when you and your partner disagree?
- Do you call your partner names, insult or scream at your partner?
- Does your partner ever seem afraid of you?
- Has anyone been hurt during an argument? What happened? Was anyone pushed, shoved, hit, strangled, etc.?
- If so, tell me about the worst episode. What was the most recent episode? How frequently does this happen?

- Do you have weapons (knife, guns, etc.) in the house? Have you used them against your partner?
- Have the children ever been hurt? Where are they when this happens?
- When this happened what did you do? What did other family members do (including pets)?
- Has property been destroyed or damaged?
- Do you or your partner use alcohol or drugs? How often?
- Do you have recent military or law enforcement training?
- On a scale from 1-10, how safe do you feel in your family? How safe do you think your partner feels? Your children?
- What was the relationship like between your parents?

Impact on the children

Additional questions to ask the batterer to assess the impact of their violence on the children include:

- Have you noticed changes in your child's behavior?
- Are you concerned about any of your child's behavior? If your child visits you, how has that been going? How much time do you spend together? Who, if anyone, helps care for your child on visits?
- Does your child have trouble sleeping?
- Is your child getting sick more often?
- Describe any problems your child has in school or with friends.
- How often have you had to move or change your child's school?
- Describe activities or groups your child is involved in.
- How do you think your children see you or feel about you?
- How does the abuse interfere with the care of your child?

Engagement without collusion

It is also important to assess opportunities for change and intervention. Ask:

- How would you like your child to think of you?
- How would you like your child's relationships to be in the future?
- What have you done to stop the violence?
- Whom have you asked for help?
- What happened when you asked?
- Who are friends and family members you can talk to?

If a batterer tends to identify his or her partner or children as the problem instead of his or her own behavior, the batterer might be open to services for the partner or

children. The worker can then use this as an opportunity to work with the adult victim and children. However, be careful as this can be seen as colluding with the batterer and reinforcing the batterer's control.

- If you could change one thing about your partner, what would it be?
- Are there any services or information you or your partner might want to help strengthen your family or to improve parenting skills?
- Are there any services or information your children need?

Assessment questions for the children

Adapt your questioning to the developmental age of the child. Talk to the child about ways to stay safe as possible. As in any child interview, start with questions to develop rapport, and use the child's language.

Ask general questions first.

- Who lives or stays in your home (including pets)? Who visits?
- What things do you do with your mom? What things do you do with your dad?
- What's your favorite thing about your mom?
- Is there anything about your mom that makes you sad, scared or worried?
- What's your favorite thing about your dad?
- Is there anything about your dad that makes you sad, scared or worried?
- What are the rules in your house? Any are any specific rules just for your mom or dad?

If the child discloses violence, follow-up with clarifying questions to define terms and determine what happened.

- Does anyone hit, shove, push, or throw things? Who does that?
- Tell me about the last time that happened.
- When this happened what did you do? What did other family members do (including pets)?
- Has anyone been hurt? Who was there? What happened next? (Follow-up with specifics about police, doctors, etc.)
- How does it make you feel?
- Has anyone asked you not to talk about this?
- Are you worried or scared about anything?

When ending the interview

- Do you have anyone you can talk to if you don't feel safe....when you are worried....when you are hurt?
- Who do you talk to when you don't feel safe....are worried....when hurt?
- What would you like to see happen?
- If you could have three wishes, what would they be? (You are looking for the child to have normal developmental wishes. Responses indicating concern may include: I wish my mom would not get hurt anymore or I want my family to stop fighting. Talk to the child about what will happen next. Tell the child what information you will be sharing with the adults.